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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,848	08/04/2003	Hiroshi Tomita	086142-0571	5071

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EXAMINER

ILAN, RUTH

ART UNIT PAPER NUMBER

3616

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/632,848	TOMITA, HIROSHI	
	Examiner	Art Unit	
	Ruth Ilan	3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-6, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grabowski et al. (US 6,213,513 B1.) in view of Bell et al. (GB 2328244.) Grabowski et al. teaches a pretensioner configured to cooperate with an anchor (unnumbered buckle in Figure 4) and including a connector portion (15) with a pulley (23) configured for a wire (56) to pass over. The anchor is configured to be inserted into and engage with the connector portion. The pretensioner generates gas (via 25) and the wire is configured to pull the connector portion in a direction towards a bracket (21.) Regarding claim 10, Grabowski et al. teaches an inner cover (unnumbered darkly lined bellows shown in Figure 4) that is connected to the connector portion at one end and to a wire holder (21.) Please note that as previously discussed in the Office action of 10/21/2005, anchor is a sufficiently broad term to encompass the tongue of Grabowski et al. Grabowski et al. does not teach the details of the latched connection 15 and as such does not disclose the claimed disengagement connection mechanism. Bell teaches a latched connection of the type claimed, in that it includes a connector portion, with a frame (1) having a channel (4) for receiving the anchor or tongue; a latch (5) releasably engaging the tongue; a leaf spring (6) for biasing the latch (5) into an engaged position with the tongue, and a sliding plate (1) with a biasing leaf spring (12) that prevents disengagement of the latch (5) during operation of the pretensioner (see page 7, line 1

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to page 8, line 1.) Bell teaches that the advantage of such a connection is that it provides a pretensioner proof latched connection that remains closed (see page 1, lines 15-27 and page 7, lines 22 and 23) and further does not jam (page 2, lines 18-20.) It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the buckle of Grabowski et al. to include a latched connection that is pretensioner proof and does not fail open, as taught by Bell. Regarding claim 9, Grabowski et al. does not show the details of the belt connection to the vehicle, and as such does not specifically disclose a retractor. The Examiner takes Official Notice that it is well known in the vehicle art to provide retractors at the ends of seat belts, in order to provide a means for winding the seat belt when it is not worn. It would have been obvious to one having ordinary skill in the art at the time of the invention to include a retractor, in order to provide a means for winding the seat belt when it is not worn.

3. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grabowski et al. (US 6,213,513 B1.) in view of Bell et al. (GB 2328244.) as applied to claim 5, and further in view of Wier (US 6,179,330.) The combination of Grabowski et al. and Bell et al. is discussed above, and does not teach a buckle and tongue that is separate from the anchor and connector. Wier teaches that it is known to provide the pretensioner on the anchor side of the seat belt (at 4, see Figure 2) and include a separate buckle and tongue. This arrangement is used to help prevent submarining, and to allow for separate tension to be provided to the shoulder (via the retractor) and the lap belt. It would have been obvious to one having ordinary skill in the art at the time of the invention to rearrange the connection of Grabowski et al. in view of Bell et al. in

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order to provide a system that helps prevent submarining by allowing for differing tension to be applied to the shoulder and lap portions, as taught by Wier.

Response to Arguments

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

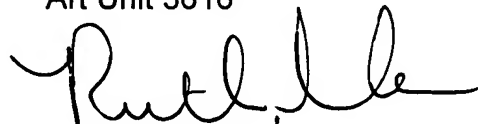
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth Ilan whose telephone number is 571-272-6673. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ruth Ilan
Primary Examiner
Art Unit 3616


3/31/06

RI
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